

MINUTES OF THE MILFORD BOARD OF SELECTMEN MEETING

27 September 2004

PRESENT: Cynthia A. Herman, Chairman
Gary L. Daniels, Vice Chairman
Noreen A. O'Connell, Member
Leonard D. Mannino, Member
Lawrence D. Pickett, Member
Katherine E.L. Chambers, Town Administrator
Darlene J. Bouffard, Recording Secretary

1.CALL TO ORDER: Chairman Herman called the meeting to order at 5:30 p.m.

2.MINUTES: The minutes of the August 23, 2004 meeting were presented to Chairman Herman for review. Changes were made as follows: Page 3, line 1, change "site" to "sight"; Page 3, line 17, change "them" to "him"; Page 5, line 7 change "an" to "a"; Page 5, line 13 change "place" to "placed"; Page 5 line 30, change "to" to "by"; Page 10, line 57 change "September" to "August"; Page 12, line 46 add "Selectman Mannino was opposed." Vice Chairman Daniels moved to approve the minutes of August 23, 2004 as amended. Selectman O'Connell seconded. All were in favor.

The minutes of the August 30, 2004 meeting (5:12 p.m. start time) were presented to Chairman Herman for review. Vice Chairman Daniels moved to approve as presented. Selectman O'Connell seconded. All were in favor.

The minutes of the August 30, 2004 meeting (7:00 start time) were presented to Chairman Herman for review. Vice Chairman Daniels moved to approve as presented. Selectman O'Connell seconded. All were in favor.

The minutes of the September 9, 2004 meeting were presented to Chairman Herman for review. Vice Chairman Daniels moved to approve as presented. Selectman O'Connell seconded. All were in favor.

The minutes of the September 16, 2004 meeting were presented to Chairman Herman for review. Vice Chairman Daniels moved to approve as presented. Selectman O'Connell seconded. All were in favor.

3. REPORTS OF BOARDS & SPECIAL COMMITTEES:

-Ambulance Billing Write-Off Committee. There is nothing new to report.

-Ambulance Study Committee. See discussion at the 7:50 p.m. appointment.

-Board of Selectman Goals. Chairman Herman is planning to get the Operations Plan done by the end of September. Selectman O'Connell talked to Chief Douglas about the Prosecutor position and will provide more information as it becomes available.

-Conservation Commission. There is nothing new to report.

-DO-IT Committee. DO-IT is currently planning for the Pumpkin Festival.

-Facilities Committee. There is nothing new to report.

-Fletcher Cap Committee. There is a meeting October 26. Right now the committee is trying to visit a similar site in Exeter.

-Heritage Commission. There is nothing new to report.

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1 **-Impact Fee Committee.** There is nothing new to report.

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3 **-Joint Loss Management Committee.** There is nothing new to report.

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5 **-Library Trustees.** There is nothing new to report.

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7 **-MACC Base.** Chairman Herman is working on the Administrative Director's job description right now. The Board
8 decided that it will be a part-time position. The Board is also working on a draft budget. Chairman Herman is still
9 waiting on feedback from Board of Selectmen members.

10
11 **-Manifest.** There is nothing new to report.

12
13 **-MIDC.** There is a meeting October 6.

14
15 **-NH School Health Care.** Chairman Herman filled out the form and she will attend the meeting in October.

16
17 **-NRPC.** The committee to study the interconnectivity of towns for fire control and emergency is starting back up
18 and will meet on Thursday, September 30.

19
20 **-PEG Access Committee.** There has been no meeting since their request for information on who is in charge of this
21 program. This is awaiting input from Tim Finan.

22
23 **-Personnel Committee.** There is nothing new to report.

24
25 **-Planning Board.** There is a work session October 5; the Planning Board is continuing to discuss build out and
26 growth management.

27
28 **-Police Station Building Committee.** There is nothing new to report.

29
30 **-Recreation Commission.** The reorganization is moving forward.

31
32 **-Recycling/Solid Waste Committee.** Vice Chairman Daniels drafted a new Mandatory Recycling policy. He will
33 send it to members Tuesday for review. There is a meeting October 6, at which Vice Chairman Daniels would like
34 to bring the Board of Selectmen input on the policy.

35
36 **-Regional Water District.** There is nothing new to report.

37
38 **-School Board.** There is nothing new to report.

39
40 **-Volunteer Committee.** There is nothing new to report.

41
42 **-Water/Sewer District Committee.** This committee has looked at the Curtis Well Field water pumps and the NH
43 Hatchery pumps, which are pumping about 2 million gallons of water every day. The committee is looking for input
44 on where other test wells are.

45
46 **-Zoning Board.** There is nothing new to report.

47 48 49 **4. APPOINTMENTS:**

50
51 **5:30 p.m. - Non-Public Session (RSA 91-A:3) - Land Purchase.** This was postponed.

52
53 **6:00 p.m. - Non-Public Session (RSA 91-A:3) - Personnel.** Upon motion made by Vice Chairman Daniels and
54 seconded by Selectman O'Connell, all members assented to enter into non-public session at 5:50 p.m. to discuss a
55 Personnel issue. A motion was made by Vice Chairman Daniels and seconded by Selectman O'Connell to come out
56 of non-public session at 6:34 p.m. No announcements were made.

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1 **6:30 p.m. - Request for Acceptance of a Conservation Easement.** Diane Fitzpatrick, Conservation Commission,
2 and Bill Parker, Planning Director, were in attendance to discuss a conservation easement on the Hampshire Hills
3 development. Hampshire Hills is developing a sports facility, for which the State is requiring some conservation
4 easements be dedicated. There are wetlands that run through the side of the property and the easement is to further
5 protect the wetlands. The conservation easements will tie into the proposed trails for Federal Hill Road. Chairman
6 Herman asked if there is more than one property owner, to which Bill Parker responded that right now there is only
7 one owner. The wetland will not be disturbed with this easement. Selectman O'Connell asked if the existing field is
8 part of the easement. Diane Fitzpatrick said it is not; the easement goes around the field. She further noted there are
9 no wetlands in this easement. Selectman O'Connell pointed out a typographic error on page 5 of the agreement.
10 Diane Fitzpatrick noted the error and will ask if that paragraph can be worded differently to be clearer. Chairman
11 Herman asked if the public will be able to walk on the easement. Diane Fitzpatrick indicated the public will be able
12 to walk only on the trail area which will connect with other trails. Town Administrator Chambers asked that any
13 approval be contingent upon review by Town Counsel. A few sections were very loosely written and it should be
14 checked by legal counsel. Vice Chairman Daniels would like to see the final language on 5C before it is agreed to.
15 Chairman Herman asked Bill Parker for a timeline on this project, and asked if a legal review will cause a problem
16 with timing? Bill Parker responded that there is time enough to have it reviewed. Vice Chairman Daniels moved to
17 have Town Counsel review this easement. Selectman O'Connell seconded. All were in favor.

18
19 **7:00 p.m. - MS-4 Tax Rate Setting.** Rose Evans, Finance Director, presented the Town of Milford, 2004 Prelimi-
20 nary Tax Rate Setting chart to Board of Selectmen members. Ms. Evans explained she looked at the revenues year
21 to date as of September and discussed the abatement estimates with the Assessor Greg Heyn. The increase in valua-
22 tion of properties is taken into account. The elderly exemptions are also part of this process, and detailed informa-
23 tion is available for members. This information will be taken to the DRA with Rose Evans and Mike Trojano on
24 Friday, October 1. Chairman Herman asked why the number in the Water Pollution Budget changed. Town Admin-
25 istrator Chambers responded there are some bonds that will be supported. Chairman Herman asked why that couldn't
26 be anticipated at the beginning of the year. Town Administrator Chambers explained sometimes there is something
27 received in the middle of the year or if something were processed as a lump sum. Vice Chairman Daniels moved to
28 accept the Town of Milford 2004 Preliminary Tax Rate Setting numbers presented by Rose Evans. Selectman
29 O'Connell seconded. All were in favor.

30
31 **7:20 p.m. - Capital Improvements Plan (CIP) Committee Plan Presentation.** Rodney Richey, Chairman of the
32 CIP Committee, presented the Introduction CIP 2004 for Plan Years 2005-2010. Mr. Richey explained that Chuck
33 Sweeney was also in attendance from the committee. Mr. Richey explained the School Board is looking at many
34 options for expansion. There is one option (option 6) that appears to cover the needs for the most years. The middle
35 school situation is the biggest need at this time. The committee believes all this information should be placed on the
36 web site for general public consideration. Tonight, the committee is looking for acceptance and recommendations
37 for the CIP for 2005-2010 as submitted. There needs to be more publicity to the public for things that need to be
38 done in the future. Mr. Richey requested that the Planning Board become involved in the CIP process next year.
39 Vice Chairman Daniels asked for the details on Option 6 for the school expansion. Mr. Richey believes that option
40 is to expand Heron Pond to accommodate grade 5 and to keep Jacques as a single grade school, which will open up
41 space at the middle school. Vice Chairman Daniels said there were 12 options for school expansion and that has
42 been narrowed to three options, the only one with a \$5.4 million price tag is a new district school for R-2 and for
43 Jacques to also be R-2 in order to move grade 5 to Heron Pond which will then only have grades 3-5. Mr. Richey
44 mentioned the impact fee schedule and that Milford needs to get dialog going to get that started.

45
46 Selectman O'Connell noted that the Recreation Commission has been talking about a \$250,000 warrant for Kaley
47 Field, but on the CIP it is listed as \$500,000. Mr. Richey responded that in order to get the project done, the com-
48 mittee felt that spreading it out over 2 years was not feasible - we should just get it over with in a one-year line item.
49 But, Selectman Pickett noted, the Recreation Commission has talked about building one road and one field just to get
50 it started. The voters did not go for \$500,000 before, but the Recreation Commission figures going for \$250,000 at
51 least one field would get started and get used. Mike Roske indicated that the \$500,000 may have been voted down
52 due to a timing issue. Selectman O'Connell thinks the Recreation Commission has changed personnel since then
53 which may have been a factor. Consistency needs to be established, said Mr. Richey, and the CIP committee is not
54 trying to push this.

55
56 On page 4 of the recommendations, Selectman Pickett asked about the replacement of Engine 3 being pushed out
57 beyond the snow blower. Mr. Richey said that was discussed a lot but in comparison to the other needs, the commit-

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tee had to level things out. Selectman Pickett noted the street sweeper cost is different from one page to the other. Mr. Richey will look into that discrepancy. Selectman Pickett asked if privatizing the street sweeping was looked at in comparison to buying the equipment. Mr. Richey said that was not part of the charge of the CIP committee.

Once the Town receives the insurance money for Garden Street School, Vice Chairman Daniels noted there is a limited amount of time in which to use it and was that factored in? Mr. Richey said it was. Vice Chairman Daniels asked if Mr. Richey feels a \$5.4 million school building can be sold to the voters in one year, to which Mr. Richey said no, even if the voters are told they will be getting it at half price. If the decision is to put it on the warrant in 2006, now is the time to get it started to get it to pass in 2006. The Town should not accept that in the past the schools have not passed on the first vote.

7:50 p.m. - Ambulance Study Committee Charge Clarification. Peter Leishman, Chairman of the Ambulance Study Committee, was in attendance with Peggy Seward and Merv Newton to discuss the findings thus far for privatization of the ambulance service. Mr. Leishman explained the charge to have this done by September 1, 2004 was given to the committee and then extended to September 15, 2004. Because of the enormous amount of information received, the committee needs more time. The budget process and warrant article need to move on. A proposal was received from Rockingham that caught the committee by surprise, with no subsidy. The contract could be 10-15 years. Rockingham is saying a contract can be in place within 30-60 days. There are a number of members of the committee that feel it should be left alone and some feel it should be looked into because it would be at no cost to the town. The fee structure would be tied to Medicare plus 5%. The committee supports the current budget process that the Board of Selectmen supports. The majority of members felt a survey should go out to the community to get a feel for what people want, possibly having a survey available for voting in November.

The committee did look at the pros and cons for 3 options and is looking for about one more month to wrap this up. Merv Newton discussed with Rockingham the possibility of having a contract drawn up in a 4 week timeframe. The committee would be involved in the draft process because it has brought up some serious concerns that Rockingham would like to address in the contract. A vote versus a survey might be better because more people will respond. One concern for the committee is the 0% subsidy. Rockingham has been doing this with Manchester for 12 years. Nashua is also a 0% subsidy. A balance sheet has been requested from Rockingham so the committee can take a look at it. Chairman Herman indicated to the Board that the committee has been looking for exactly what Rockingham has to offer and we should give them the extra time to get that information. If there is a contract that the Town feels is viable, we should try to get that out to the voters by March and let the personnel know what is going on in that department. The Board of Selectmen wants to find out the information and get as many details as it can so we really know what is out there and when the committee is done, it's done. If the Town will go with a Warrant Article, it needs to be done by the end of November.

Selectman O'Connell noted that Rockingham says they can meet the same level of service the Town has now, but has the committee been able to get input from the other communities about receiving the same level of service received before? Also, Selectman O'Connell asked how the hospitals and nursing homes feel about this. Peter Leishman indicated the nursing homes are very happy with the service in Nashua and have had no problems - Rockingham is also very community oriented. Mr. Leishman has not found anything negative in Nashua yet, but would like to talk with Manchester who has just signed a new contract with Rockingham. Merrimack is also looking for a long-term contract. The committee does not want to keep the present service in limbo either - they provide an excellent level of service. Peggy added that each hospital has an EMS coordinator that can provide information to Milford as well. Chairman Herman feels if this committee wants to get involved in the budget process for this and have the information, feel free to get involved. Merv Newton works in this field and knows how hospitals work and he can see how costs can be saved and that should be factored in.

Due to the time, cost and effort required for a survey, Chairman Herman felt a survey might not be reasonable. Selectman O'Connell suggested that the newsletter be used to get information to the public and get feedback. Peggy said if the information is put out in the newsletter, the voters will have the information and vote it in or not. If it is voted in, the EMS budget that was voted on will be negated. Selectman Pickett asked what information would be requested in the survey. The contract is really the key to making sense of what the town will get, what will the survey get in addition to what the committee has found? Peggy answered if a questionnaire were sent out, the voters do not have anything to compare the EMS service against. She feels it would not provide any further information than what has been collected. Town Administrator Chambers noted that if this becomes a Warrant Article to privatize, the ambulance budget still needs to be put in the budget and it would need to be raised, but if the Warrant passed the

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1 unused operating budget money would end up in surplus. Chairman Herman added that some money would be ex-
2 pended out of the budget because the EMS service would still be in operation until the transition is complete. If the
3 Warrant were approved, Merv Newton indicated Rockingham would like to have about 60 days for the transition.
4 Selectman O'Connell asked if the Town employees would have an opportunity to be absorbed into the Rockingham
5 staff. Peter Leishman said that was brought up with the committee and there is no guarantee that any or all staff
6 would be hired. Selectman O'Connell asked about town equipment, to which Mr. Leishman said Rockingham would
7 not be interested in obtaining the town equipment. Selectman O'Connell asked if Rockingham would build their own
8 facility to house their own trucks, at no cost to the patients. Peggy responded that is what they said.
9

10 **8:05 p.m. - Discussion of Encroachment on Town Land/Rail-Trail Property.** This meeting was postponed.
11

12 **5. UNFINISHED BUSINESS:**

13 **-Consideration of Request to Increase Number of On-call Firefighters.** Chief Pauley, Fire Chief, has made a
14 request to the Board of Selectmen for five additional on-call firefighter positions. There are funds available for the
15 positions because there is no fire inspector on duty. Town Administrator Chambers explained that there is not
16 \$14,325 available in the Fire Department budget. Selectman Pickett indicated if Chief Pauley can hire within his
17 budget limits, he should hire the people. Town Administrator Chambers again stated the money is not in the budget.
18 Chairman Herman asked if there is a way to manage the money to get one firefighter started. Town Administrator
19 Chambers said if the staff were brought up to 45 people, there might not be enough funds to pay for them all by the
20 end of the year. Chairman Herman suggested having Chief Pauley hire the people and work within the means that he
21 has available.
22

23 Selectman O'Connell asked if the Town received a grant for protective equipment. Chairman Herman said it did.
24 Selectman O'Connell then asked if the protective clothing being replaced was brought somewhere or can that be used
25 by the five new people? Selectman Pickett said the funding for five sets of protective equipment was not allocated.
26 If the Town increases the number of fire fighters by five, there is a good possibility that the money is there, said Se-
27 lectman O'Connell. Chairman Herman believes so because they are down people now.
28

29 Selectman O'Connell moved to approve the hiring of five fire fighters, but approve no further funding for the Fire
30 Department this year. Selectman Pickett seconded for discussion. Selectman Mannino was not aware that there
31 were three unfilled call positions. Vice Chairman Daniels said there could be currently between 3 and 5 openings
32 and Chief Pauley is looking to hire five people. He is also concerned about creating five new positions out-of-
33 budget. The concern of Selectman O'Connell is that in order to maintain an on-call fire department, it is becoming
34 more difficult getting people to attend the alarms; it appears the Town needs more people to fill the positions to be
35 available when they are needed. The fire fighters do not get paid if they do not show up. Selectman O'Connell does
36 not see how having more people available to respond will push the money past the budget. Selectman Mannino does
37 not want to vote this down without more information. The reason Chief Pauley wants to keep the positions filled,
38 said Town Administrator Chambers, is that when calls come in there is a larger group of people that can respond.
39 The budget picture is that if all 45 positions are filled, the projections will go over budget. Chairman Herman asked
40 if the department could open up the membership to out of town people that work in Milford. Town Administrator
41 Chambers said that is part of the discussions. Selectman O'Connell indicated there are certain traditions that the de-
42 partment does not want to let go of - it is a brotherhood. Selectman Pickett pointed out that Milford is at a point
43 where the Town needs to be creative in getting on-call fire fighters and try taking people from other towns that work
44 in Milford. Chairman Herman asked who decides whether the Town allows out of town people to be members of
45 the Fire Department. Town Administrator Chambers responded it is in the operational procedures but the Board of
46 Selectmen can change those. Chairman Herman asked members if the Town should consider opening up the mem-
47 bership. Vice Chairman Daniels said he had no problem broadening the membership criteria, but questioned why the
48 Chief hadn't come to the Board of Selectmen to ask for that? Selectman Pickett recommended that the Board ap-
49 prove the five on-call fire fighters. Town Administrator Chambers does not see where the \$8,000 for protective
50 equipment will come from. Chairman Herman said there is an employment opening that will allow for that in the
51 2004 budget.
52

53 Selectman Mannino moved to meet with Chief Pauley one more time before voting. The 3 positions that have not
54 been filled bother Selectman Mannino, there was no second. Voting on the original motion to approve the hiring of
55 5 weekday call Firefighters with no increase in the 2004 budget, Selectman O'Connell, Selectman Pickett and Se-
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lectman Mannino were in favor. Vice Chairman Daniels opposed. Chairman Herman did not vote. Motion passed 3-1.

-Town Hall Space Reorganization. Town Administrator Chambers presented the Town Clerk/Tax Collector/Finance Reorganization timeline and implementation schedule to the Board for review. She explained this is an ambitious implementation plan. Everyone involved has been talked to. All bases are covered but it will be disruptive. Selectman Pickett did not remember involving so many departments. Town Administrator Chambers explained the Building and Planning Departments needed extra space so they will move as well. That was on the previous plan. Chairman Herman asked why there was no floor plan on that end of the building. Town Administrator Chambers explained it was a simple move and did not necessitate a floor plan. Bill McKinney and Kevin Lynch will go to where Finance is now. Selectman O'Connell wanted to take the stand up desk in the lobby area out to open up that space. Town Administrator Chambers indicated that would cost quite a bit of money and she is trying to keep costs down. Chairman Herman would like to see the direct cost related to this as opposed to optional costs. The moving of the Building Inspector is not necessary for the change in the Tax Collector and Finance Offices. Town Administrator Chambers said she can get those numbers. Chairman Herman wants to discuss the salaries and wages portion of the costs; the layout is separate. Selectman Pickett asked how long this will take. Town Administrator Chambers responded the new counter will take a few weeks. The moves will take about three weeks, all told. She is shooting for the January/February timeframe when DPW is available.

Selectman O'Connell has a problem with moving Leen into visible space, seen by the public. He does not need any public access. If IT is being moved, Chairman Herman wants it to be long term. She is concerned if all the technology and wiring is moved that it is long term because it will cost to move it again. Town Administrator Chambers said they are still talking about having the servers placed in the new Police facility. It would be much better to have the server there because there is no generator at Town Hall. Town Administrator Chambers is still hoping to do that so there would be more flexibility. Selectman Pickett would rather see Leen having more walls and fewer windows. Town Administrator Chambers said the IT area needs to have HVAC and she is trying to save costs for the town. For Finance and the Town Clerk, there is some interest in keeping everything together but one of the things trying to be accomplished is to have the Board of Selectmen and Town Administrator accessible to the public. There are better ways to do some things but it gets into some cost issues. With everything going on with ambulance, Rose Evans asked if anyone has given thought to them leaving the building, opening up additional space. Selectman O'Connell did talk to Leen about the wiring that he says the Town needs to upgrade. If it is wired properly, the computers would just need to plug in the servers and go. She is not as concerned with that end of the building but she sees that Planning and Conservation need to be together. Leen does not need access to the public and can be somewhere else. The relocation costs for Leen are small, said Town Administrator Chambers. We can move him if need be, but the temperature control and humidity are issues.

Vice Chairman Daniels moved to accept the floor plan as presented. Selectman O'Connell seconded. All were in favor. Vice Chairman Daniels moved to accept the timeline for the move in January/February. Selectman O'Connell seconded. All were in favor. Vice Chairman Daniels moved to put the Not-To-Exceed relocation costs of \$26,921.33 into the 2005 budget. Selectman O'Connell seconded. All were in favor.

Bill Parker provided information to Town Administrator Chambers that he is disappointed because he was not made aware that the proposal for the east end of the building reorganization was final. He does not think taking up space across the hall will work, sharing administrative work and dealing with the public and thought this was still being looked at. The possibility of moving the counter and creating new space in the current administrative area for Leen was discussed and Bill Parker was under the impression it was still being considered. Town Administrator Chambers thought Bill Parker was involved in the discussion and she will discuss further with him. Selectman O'Connell would like to still think about the move for Leen; putting him in the middle of all that stuff will not be long term. Town Administrator Chambers is happy leaving Planning where it is now and move Leen into the Finance area. Chairman Herman noted that the west side of the floor plan is all set, but the east side needs to be worked out.

-NH Municipal Association (NHMA) Policy Conference Outcome. Selectman O'Connell attended the NHMA Policy Conference and said it was not the time to entertain discussion. There was a little discussion, but it was really a conference for a vote. Selectman O'Connell felt she stood out in the crowd on 90% of the votes. This was an education and she would be willing to do it again, but would make more of an effort to attend the discussions prior to the vote conference. Being in the minority, she did have a discussion with someone who offered to come discuss NHMA with the Board of Selectmen in order to address any questions the members might have on the process or the

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1 concerns. Maura Carroll, who is a lobbyist, offered to come speak with the Board of Selectmen. All members
2 agreed to have her attend a meeting.

3
4 **-Appointment of Robert Wisniewski & Terry Parker to the Water/Sewer Village District Study Committee.**
5 Chairman Herman indicated she would like to hold on the appointment of Robert Wisniewski until after she gets in
6 touch with him. Chairman Herman recommended Terry Parker for the committee. Chairman Herman moved to ap-
7 point Terry Parker to the Water/Sewer Village District Study Committee. Vice Chairman Daniels seconded. All
8 were in favor.

9
10 **-Discussion and Consideration of Various Forms of Alternative Demonstrations of Appreciation.** Chairman
11 Herman indicated this is a discussion and she is looking for input on how to demonstrate the Town's appreciation for
12 various employees, volunteers, etc. Selectman O'Connell said she was confused about how the Fair Labor Laws
13 would apply here, and what the Town is allowed to do. What can the Town do and what can the Town not do? Se-
14 lectman Pickett suggested if a gift certificate were received from a local business, could the Board give that out since
15 it does not cost the Town anything? Town Administrator Chambers does not believe it will violate any contracts and
16 she does not think it will affect the compensation if the certificate is \$25 or less. Rose Evans, Finance Director, indi-
17 cated there is an IRS regulation for that and she believes \$25 or less is acceptable. Chairman Herman explained that
18 this discussion is taking place so the Town has a way to say Thank-You to employees who do a good job, but are not
19 in a position for a raise or a promotion. Vice Chairman Daniels would like to see the language in the IRS regulation.

20
21 Selectman Pickett suggested starting an employee of the month program, where the Town could get a gift from a
22 local business that sponsors the employee of the month for that month. Town Administrator Chambers is unsure of
23 how the IRS regulation would apply to volunteers. With employees, asked Selectman O'Connell, are the regulations
24 different for private businesses versus municipalities? The point of this discussion, explained Chairman Herman, is
25 that the Town wants to be able to give extra kudos to people who go above and beyond. Selectman Mannino sug-
26 gested that if an employee of the month program were started, the gift could be a shirt with the Town logo and the
27 employee picture could be posted in the lobby. Vice Chairman Daniels asked if it has or has not been decided if the
28 Town can give gift certificates. Town Administrator Chambers thinks that if it is more than \$25, it is considered
29 compensation to the employee. Selectman O'Connell feels it may be difficult for the businesses in town if they are
30 asked to donate more than what is already being donated to various fundraisers. Chairman Herman asked all mem-
31 bers to think of additional ideas to demonstrate appreciation and for Town Administrator Chambers to look into the
32 IRS allowable numbers.

33
34 **-Request to Amend State RSA RE: Perambulation of Town Boundaries.** A letter has been prepared to request
35 an amendment to NH RSA Chapter 51 - Town Lines and Perambulation of Boundaries, Section 51:2, stating that
36 performing the current requirement every 7 years is unreasonable. This letter is directed to the Legislature. Vice
37 Chairman Daniels suggested it get sent to the nominees now, prior to the election. Selectman Pickett does not see
38 that it will hurt to sent it to all nominees. All members agreed to send the letter to our current State Senator and State
39 Representative, as well as our State Senator and State Representative nominees.

40
41 **-Approval of Illumination Replacement Project Agreement.** The PSNH agreement was presented to the Board
42 for approval. Town Administrator Chambers has asked PSNH for changes. Selectman O'Connell has heard from
43 some people on Osgood Road who do not want their lights and she suggested they send a letter to the Board of Se-
44 lectmen. Town Administrator Chambers explained that 35 of the lights will not be replaced because they are already
45 metal halide or high pressure sodium bulbs. Vice Chairman Daniels moved to accept the agreement with the pro-
46 posed changes. Selectman O'Connell seconded. All were in favor.

47
48 **-Recommendations for Traffic Safety Concerns - Dearborn, Ruonala, Middle & West Streets and Nashua**
49 **Street Traffic Study Consideration.** Awaiting October 13, 2004, Traffic Safety Committee Meeting Recommen-
50 dation.

51
52 **-Consideration of State Motor Vehicle Registration - MAPP & COMPASS.** Chairman Herman heard from Data
53 Operations Technician Leen In't Veld that COMPASS and E-Reg are both moving forward and are available. He
54 will get a cost for what it will be for the Town. Interware allows people to pay by check and COMPASS allows
55 people to pay by credit card.

56
57 **-Status of Osgood Pond.** Ongoing project.

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1
2 **-Non-Public Session - Union Negotiations.** Upon motion made by Vice Chairman Daniels and seconded by Selectman O'Connell, all members assented to enter into non-public session at 10:30 p.m. to discuss Union negotiations. A motion was made by Vice Chairman Daniels and seconded by Selectman O'Connell to come out of non-public session at 11:03 p.m. No announcements were made.

6.NEW BUSINESS.

10 **-Nashua Regional Planning Commission Taking Positions at PUC Hearings.** Chairman Herman received a letter from NRPC in response to her inquiry regarding the PUC hearing. She noted that the Board needs to be aware of the representation by these organizations being paid by the Town. NRPC is supporting the taking of Pennichuck under eminent domain. They will send us a letter to tell us they are playing a proper role in taking a position, but Chairman Herman believes they are misrepresenting their communities. Milford has not yet made a determination of which side we will go with. We have not felt strongly one way or the other. NRPC is representing to PUC that they represent all their communities, including Milford. Selectman Mannino agrees with Chairman Herman and wonders how to prevent this. Chairman Herman suggested a collective letter from the Board be written suggesting NRPC stick with their original charge to represent all the communities. NRPC has been very good about making all the information available to its members. They are now taking a position on the Pennichuck issue. Vice Chairman Daniels asked if the Town should send a letter requesting they cease and desist representing Milford's opinion. Chairman Herman said if the Town does that, a copy should be sent to PUC. Selectman O'Connell asked what other towns are not on board. Chairman Herman said Merrimack and some other communities. Selectman O'Connell wonders if the Board of Selectmen should contact those other communities that have not gotten on board and encourage them to speak up. Chairman Herman thought it might be a good idea to send a letter to those towns and send a copy of the letters to NRPC as well. Selectman Pickett feels a copy should also go to PUC. Chairman Herman took the action of drafting a letter for Board review.

28 **-Consideration of Revisions to Recreation Director's Job Description.** The job description for the Recreation Director was presented and reviewed by the Board. A few minor revisions were made, after which Town Administrator Chambers clarified that it was added that the Recreation Director will work in conjunction with the Board of Selectmen and Recreation Commission. Vice Chairman Daniels moved to accept the job description as amended and for Town Administrator Chambers to send it to the Recreation Commission for final review. Selectman O'Connell seconded. All were in favor. Town Administrator Chambers will post the ad for the available position. Regarding the interview process, Town Administrator Chambers noted there is a panel named by the Board to pick the people to be interviewed, then the Recreation Commission will interview them, but the results of the interviews would be kept private until both the panel and the Commission have completed the interview. This way there is no input given prior to any interviews and the groups will make their judgment without knowing what the other group input is. Chairman Herman thinks it would be appropriate to have the Recreation Commission have a meeting with the candidate - using a sealed envelope with the recommendation is at Town Administrator Chambers' discretion. Town Administrator Chambers would like the Human Resources Director to attend the interviews, because there are certain questions that cannot be asked at the interviews. Vice Chairman Daniels suggested that be taken care of before the interview - that the interviewers be told prior to the interview what not to ask. Town Administrator Chambers took that action.

45 **-Consideration of Joint Loss Management Committee's (JLMC) Recommendations.** The Scout House at Shepard Park has been inspected by the Joint Loss Management team with recommendations for repair. Town Administrator Chambers indicated the scouts are supposed to do the work before December, but Bill Ruoff has not heard back from them yet. One recommendation for a guard rail along Nashua Street was made - that discussion is still in process. Selectman O'Connell asked if these things must be done, and if so, the Board needs to know the costs. Town Administrator Chambers answered that these items must be done. Vice Chairman Daniels does not understand why there needs to be guard rails installed, as posts already provide a safety barrier. Town Administrator Chambers will contact Mr. Kurtz of the American Legion, who is sponsoring the scouts on this project, and discuss the guard rail issue with DPW Director Ruoff.

55 Keyes Field has also been inspected by the Joint Loss Management team with recommendations for repair. Town Administrator Chambers explained the minor items are being done this fall. The pavilion needs significant work; she indicated that Bill Ruoff suggested the pavilion go one more year and put together a plan for replacing it and possi-

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bly moving it. Chairman Herman understood that the pavilion might fall down - should it just be taken down? Bill Ruoff has told Town Administrator Chambers that the pavilion has been that way for a long time and to just leave it for now. Selectman O'Connell feels it should be taken down. Selectman Mannino asked if any people have reserved the pavilion during the fall season. Town Administrator Chambers does not believe anyone has it reserved. Vice Chairman Daniels is concerned about this and would like to wait until the next meeting to make a decision. Selectman O'Connell moved to recommend that the pavilion be taken down for safety reasons. There was no second, however Vice Chairman Daniels commented he would like to hear from the people involved. Selectman Pickett moved to table until the next Board meeting. Vice Chairman Daniels seconded. Vice-Chairman Daniels, Selectman Pickett, and Selectman Mannino were in favor. Selectman O'Connell was opposed. Chairman Herman did not vote.

-Discussion of Response to PEG Proposal and Request for Funding. The PEG Access Committee has submitted its recommendation and is awaiting a response from the Board. The report dated August 23, 2004 was reviewed by the Board. It will cost \$97,500 and there is \$54,500 remaining from the Adelphia account. The Board can consider raising the remaining costs. This recommendation is for Phase 1, Phase 2 will not start earlier than January 2006. There is also \$20,000 available in unanticipated revenue. Vice Chairman Daniels would like to go through some more budget meetings before making a decision. Selectman Pickett moved to table. Vice Chairman Daniels seconded. All were in favor.

-Political Sign Enforcement Rules. Vice Chairman Daniels will find out further information on this topic.

-Request for Design Review Extension. The Police Station Facility Committee has requested an extension of two weeks on the presentation of the schematic plans for the new facility. Selectman Pickett moved to grant the extension. Selectman Mannino seconded. All were in favor.

-Request for Acceptance of Amendments to the Education Reimbursement Policy. The revised Education Reimbursement Policy was presented to the Board for review. Vice Chairman Daniels moved to approve the policy. Selectman Mannino seconded for discussion. Town Administrator Chambers asked if this should be implemented with the Teamsters, unilaterally noting the town may be challenged. It has been broached with the police union. The Teamsters contract language says that this policy will apply - the policy is not part of the contract. We can implement this, but we can expect a challenge, said Town Administrator Chambers. All were in favor.

-Appointment of Shirley Carl to the Volunteer Committee. Shirley Carl has offered to volunteer for the Volunteer Committee. Selectman O'Connell moved to approve the request. Vice Chairman Daniels seconded. All were in favor.

-Execution of Water and Sewer Users Fees for the Final Bills of August and the Bill Commitment of September 2004. The Water User and Sewer User fees for the month of September 2004 and the August 2004 final bills were unanimously approved on motion made by Vice Chairman Daniels and seconded by Selectman Mannino as follows:

Water Users Fees:	September 2004	\$ 101,867.37
	August 2004 final	1,066.56
Sewer Users Fees:	September 2004	\$ 127,065.46
	August 2004 final	1,434.68

7. ITEMS NOT ON THE AGENDA.

-E-Local Link. Town Administrator Chambers explained to Board members that this is a company that does promotional material and works primarily with web site videos and banners for government agencies. This company has now gotten into the web business where communities can promote things about their community in video format. They are looking for three communities in each state to use for a test ground. In exchange for being the test ground, the Town would receive three free videos. A film crew from this company would come in, shoot the footage, edit it and the Town would get final approval. The film would be stored on their web site, but linked to the Town web site. This company has the technology to address the known web site problems. For three years, Milford will get 25 free banners, including installation and maintenance. The Town could have whatever it wants on the banners and the

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sponsors for the banners would be on the bottom of each. After the three years, the Town can end the deal or continue with them. Vice Chairman Daniels asked what the restrictions are with selling the Brox property, and is that something that Milford could have in this video? Bill Parker, Planning Director, was unsure but will look into it. Town Administrator Chambers said she had the same idea and could speak with Brad Vear, the real estate representative for Brox. Vice Chairman Daniels feels other things could be put into that format for people new to Town. Town Administrator Chambers suggested this could be something that could be done by PEG - to create an actual film. Selectman O'Connell said it sounds too good to be true. Chairman Herman asked if a copy of the contract could be reviewed. Town Administrator Chambers agreed and said she wants to see some testimony from other towns. She will follow up on those two items. The deadline is Friday, October 1. All members concurred that a decision would not be available by that date. Town Administrator Chambers will express to E-Local Link that the Town is interested but cannot meet the October 1 date.

Non-Public Session (RSA 91-A:3) – Legal. Upon a motion by Vice-Chairman Daniels and seconded by Selectman O'Connell, all members assented to go into non-public session at 11:03 p.m. to discuss a legal matter. After discussion, a motion was made by Vice-Chairman Daniels and seconded by Selectman O'Connell to come out of non-public session at 11:06 p.m. No announcements were made.

8. INFORMATION ITEMS.

9. ANNOUNCEMENTS.

-Next BOS Meeting. The next regular meeting of the Board of Selectmen will be Monday, 11 October 2004, at 5:30 p.m.

There being no further business to come before this Meeting, the Board adjourned at 11:07 p.m.

Chairman

Vice Chairman